



ORDINANCE NO. 2877

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE PLANNED DEVELOPMENT 82 (PD-82) ZONING DISTRICT TO ALLOW FOR REVISED DEVELOPMENT STANDARDS AND MODIFICATIONS TO THE SITE PLAN DRAWINGS; APPROXIMATELY 5.03 ACRES OF PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF VALLEY VIEW LANE AND MARSH LANE, AMENDING AND REPLACING IN ITS ENTIRETY ORDINANCE 2760; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend, replace and restate the existing Planned Development No. 82 (PD-82), as amended; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City

WHEREAS, the City Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity

thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the Planned Development No. 82 (PD-82) zoning district to allow for revised development standards and modifications to the site plan drawings as set forth in Exhibit "B," for approximately 5.03 acres of property generally located at the southwest corner of Valley View Lane and Marsh Lane. Said property being shown on Exhibit "A" and more specifically described as follows:

Lots 1 through 23, Block A, THE COURTYARDS, an addition to the City of Farmers Branch, Dallas County, Texas, according to the plat recorded in Volume 2004229, Page 103, Plat Records, Dallas County, Texas.

SECTION 3. That all uses in the Planned Development No. 82 zoning district (PD-82) shall conform in operation, location and construction to the development standards as set forth in Exhibit "B", and to the extent not in conflict with Exhibit "B", to the development and performance standards as established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 4. That any changes to the associated site plan would require an amendment to this Ordinance, and the above-described tract of land shall be developed only as per the associated site plan, file-dated April 30, 2004, attached as Exhibit C in this Ordinance except as amended by Exhibit D in this Ordinance, and subject to the following conditions:

1. The property owners association shall provide City Staff, emergency service, and utility providers with a three-digit access code. The main entrance shall be equipped with Opticom System, and the emergency gate along Marsh Lane shall be equipped with a Knox-box – a rapid access system for emergency service vehicles.
2. Prior to any changes to the Valley View Lane median, the applicant shall submit existing and proposed landscaping and irrigation plans for the median to the City of Farmers Branch, Engineering Department, for their review and approval.
3. There shall be no alley access, and accessory structures shall not be allowed for lots 1 through 12, as shown on the site plan, file-dated April 30, 2004.
4. All landscaping, screening fence, streets, and other related infrastructure shall be in place before a Certificate of Occupancy can be issued for the first unit.
5. Prior to conveyance of the 0.038-acre portion of Lots 1-3, Block A of The Courtyards Addition to the neighboring property owner to the south, the property owner of Lots 1-3, Block A shall replat Lots 1-3, Block A and Lot 22, Block 9 of the Revised Fourth Section Crestbrook Estates No. 3.

SECTION 5. That the site plan, file-dated April 30, 2004 attached as Exhibit C in this Ordinance in hereby amended by Exhibit D in this Ordinance with respect to Lots 1-3, Block A only.

SECTION 6. That Ordinance 2760 is hereby amended and replaced in its entirety by Ordinance 2877.

SECTION 7. That the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as heretofore amended, and as amended herein.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 9. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 10. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 11. Whereas, it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS,
on this the 18th of September, 2006.

APPROVED:

Bob Phelps, Mayor

APPROVED AS TO FORM:

ATTEST:

City Attorney
(Approved by S. Lowry 08-23-06)

Cindee Peters, City Secretary

EXHIBIT "B"

STANDARDS FOR PLANNED DEVELOPMENT ZONING DISTRICT NUMBER 82 (PD-82)

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PURPOSE

The Planned Development No. 82 zoning district is established to attract high-quality new home construction.

The intent of the City Council in enacting this Ordinance is to:

- 1) Encourage innovative, residential development, so that the growing demand for housing may be met by greater variety in type, design, and layout of residences.
- 2) Provide a procedure which can relate the type, design, and layout of residential development to the particular site, the demand for housing at the time of development, and to the City's goal of encouraging residential development in a manner consistent with the preservation or enhancement of property values within the existing residential neighborhood.
- 3) Promote developments where the physical, visual, and spatial characteristics are established and reinforced through the consistent use of compatible urban design elements.

I. PERMITTED USES

Uses permitted on any lot within the Planned Development No. 82 zoning district shall be limited to the following:

- a) One family dwelling - detached
- b) Park or playground
- c) Accessory buildings shall be allowed on lots 13 through 23. Accessory buildings shall not be allowed on lots 1 through 12. Accessory buildings are subordinate buildings that are appropriately and clearly incidental in use, size, bulk, area, and height to the primary structure and use, and are located on the same lot as the primary structure or use. Accessory buildings on lots 13 through 23 shall be subject to the provisions of Article 15 of the Comprehensive Zoning Ordinance, except as otherwise provided herein.

Any structure erected or land used for purposes other than those uses specifically identified herein are expressly prohibited.

II. DEVELOPMENT STANDARDS

The purpose of development standards is to ensure that all facilities are reasonably accommodated on-site, and are designed and located to minimize any adverse impact on adjacent properties.

The development standards outlined below shall be used by any applicant in preparing a development plan and by the City Staff in reviewing same.

The development standards shall be used as the City's minimum requirement for evaluating development within this Planned Development District (PD-82).

Any changes to the development standards shall require a zoning amendment.

A. Lot Area and Dimensions

All uses shall be located on lots meeting or exceeding the minimum area and dimensions as established herein. No lot existing at the time of adoption of this ordinance shall be reduced in area or dimension below the minimum requirements established herein.

- 1) The minimum gross area of any lot shall not be less than 8,400 square feet.
- 2) The minimum width of any lot, as measured at the front building line, shall not be less than fifty (50) feet.
- 3) The minimum depth of any lot shall not be less than 165 feet.

B. Lot Coverage

No more than fifty percent (50 %) of the gross lot area may be covered by buildings or structures, including the main building or structure and any accessory structures. Pools are excluded from calculation of lot coverage.

C. Pervious Surface Area

A minimum of thirty (30%) of the net lot shall remain pervious. Net lot area shall be gross lot area less the area covered by alleys, street easements, cul-de-sacs, or entry-drives as shown on attached site plan (Exhibit C).

D. Minimum Floor Area

The minimum enclosed living area for all residential uses shall not be less than 1,800 square feet, not including garages, porches, breezeways or other attached structures or accessory areas not intended for human habitation.

E. Building Setbacks

- 1) No building, structure or use shall be located, erected or altered so as to have lesser setbacks than those established herein:

a) Front Yards

All uses shall maintain a minimum front yard setback of twenty (20) feet from the internal street easement, except for lots along a cul-de-sac (lots 1, 2, 11, 12, 13, 14, 22, and 23 as shown on the site plan attached as Exhibit C), wherein a minimum setback ten (10) feet shall be maintained. Front yard shall be calculated from the front face of the building to the edge of the internal street easement.

b) Side Yards

All uses shall not have a total side yard setback less than ten (10) feet. Residences can be placed at zero feet on one side provided the second side is not less than ten feet.

Side yard setback for accessory buildings shall be in accordance with Article 15 of the Comprehensive Zoning Ordinance.

c) Rear Yards

The minimum rear yard setback shall be ten (10) feet from the rear property line or any rear utility easement line for lots 4-23. The minimum rear yard setback shall be ten (10) feet from the rear property line for lots 1-3.

The minimum rear yard setback for any accessory uses or structures on lots 13 through lots 23, shall be five (5) feet from the rear property line or any rear utility easement line.

- 2) Any residence with a side yard setback less than five feet (5') shall have a five-foot (5') wide access and maintenance easement across the adjacent property, except for lots 1 and 23 whose side yards abut a dedicated public alley.
- 3) A maintenance easement no less than five feet (5') in width shall be provided on all lots such that maintenance of the neighboring zero setback structures can be accommodated. Such easement shall be free and clear of obstruction.
- 4) No overhanging eaves shall project more than two feet beyond the building wall. For zero-setback façade of each residence, the overhanging eave shall project onto the five foot maintenance easement across the adjacent property.

F. Building Height

The maximum allowable height for the main building (1½ stories) is 26 feet. The ground level (1st floor) top plateline shall be no less than 10 feet, and no more than 13 feet.

Accessory buildings on lots 13 through 23 shall be subject to the provisions of Article 15 of the Comprehensive Zoning Ordinance.

G. Private Streets

The property within PD-82 may be developed with private street easements instead of public streets and alleys. For purposes of emergency access the street easement shall function as a public street. The development complies with the following requirements:

- 1) Private street easements shall conform to the construction standards for public streets. All private street easements shall be constructed of concrete. The portion of the private street easement within the entry area shall be colored and patterned concrete, as shown on Exhibit "C".
- 2) A total of ten common off-street parking spaces shall be provided on the cul-de-sacs as shown on the attached site plan (Exhibit C).
- 3) Private street easements designated as a mutual access easement and utility easement must be constructed by the developer and maintained by the Property Owners Association. An easement covering the street area shall be granted to the City providing unrestricted use of the property for utilities and maintenance of same. This right



shall extend to all utility providers including cable companies operating within the City. The easement shall also provide the City with the right of access for any purpose related to the exercise of a governmental function, including but not limited to fire and police protection, inspection and code enforcement. The easement shall permit the City to remove any vehicle or obstacle within the street area that impairs emergency access.

- 4) All restricted access entrances must be manned 24 hours every day, or provide an alternative means of ensuring access to the subdivision by the City and other utility providers with appropriate identification. If the Association fails to maintain reliable access as required to provide City services, the City may, following 24 hours written notice to the Property Owners Association, enter the subdivision and remove any gate or device which is a barrier to access at the sole expense of the Association. The Association documents shall contain provisions in conformity with this paragraph, which may not be amended without the written consent of the City.
- 5) The Property Owners Association shall provide the City, emergency service and utility providers with a three-digit access code. The main entrance shall be equipped with Opticom System, and the emergency gate along Marsh Lane shall be equipped with a Knox-box.
- 6) A turn-around space must be located in front of the main restricted access entrance to allow vehicles denied access to safely exit onto public streets.

H. Property Owners Association

- 1) Subdivisions developed with private street easements must have a Property Owners Association (the "Association"), which includes all property, serviced by private street easements. The Association shall own and be responsible for the maintenance of private street easements and appurtenances. The Association must establish a reserve fund for the maintenance of street easements and other improvements. The Association documents shall be reviewed and approved by the City Attorney to ensure that they conform to this and other applicable City Ordinances. The document shall be filed of record prior to the approval of the final plat. Lot deeds must convey membership in the Association and provide for the payment of dues and assessments required by the Association. No portion of the Association may be dissolved, or no portion of the Association documents pertaining to the maintenance of private streets and alleys may be amended without the written consent of the City of Farmers Branch.
- 2) The Association documents shall provide in a separate article therein that upon request of the City, the Association shall provide a copy of its annual financial report. In the event that the Association fails to maintain the common area of the Association in accordance with the provisions of this Ordinance: a) the City shall be able to review the financial records of the Association; and b) the City shall have the right, but not the obligation to undertake such work on its own providing the Association thirty (30) days notice of its intent to do so, and the City shall have the right

as though it were the Association to place a lien on all the property within PD-82 in the amount of the cost of said work. The deed restrictions approving and incorporating the Association's rights and responsibilities are: 1) voluntarily proffered by the owner; 2) shall be filed for record in the Deed Records of Dallas County; and 3) the Article of the Deed Restrictions establishing the provisions required herein, may not be amended without the City's prior written consent.

- 3) The City shall not pay any cost of constructing or maintaining a private street.
- 4) On the subdivision final plat shall be language whereby the Property Owners Association, as the owner of the private streets and appurtenances, agrees to release, indemnify, defend, and hold harmless the City, the governmental entity or public utility for damages to private street and appurtenances occasioned by reasonable use of the private street by the City, or public utility.

I. Sidewalks

Sidewalks shall be constructed along Valley View Lane and Marsh Lane as per the City of Farmers Branch, engineering standards. The location, width, and design of the sidewalk shall be as per the attached site and landscape plans (see Exhibit C). Routing to clear poles, trees, or other obstacles shall be subject to approval by City Manager or his/her designee.

J. Driveways

The use of various paving materials other than smooth finished concrete can provide visual interest and are encouraged.

1) Coverage

- a) No more than sixty-five percent (65%) of the required front yard may be paved as a driveway or for vehicle parking or maneuvering.

2) Materials

- a) Driveways shall be constructed of concrete or masonry only. Stamped or colored concrete, interlocking pavers, concrete with brick borders, exposed aggregate concrete paving and other similar materials and finishes, constructed on a concrete base, are allowed. Color, pattern, and design shall complement that of the home.
- b) Asphalt, shell, mulch, gravel and similar materials are prohibited.

3) Extent

- a) Driveway pavement material shall not abut building foundations except as approaches to garages or as entry walks.

K. Parking

- 1) Each residence shall accommodate a minimum of four on-site parking spaces. Two of the four required parking spaces shall be within enclosed garage. Each residence shall also provide parking spaces for two automobiles on the individual driveways.

- 2) All driveways and parking areas shall be setback a minimum of two (2) feet from the side property line.

L. Carports

Carports shall not be permitted.

M. Pools and Spas

- 1) Portable or permanent above-ground swimming pools are prohibited. Small children's wading pools or splash pools not designed or intended for permanent installation are permitted.
- 2) Above ground spas or hot tubs not exceeding ten feet (10') in general diameter, excluding adjoining decking and similar appurtenances, are permitted.
- 3) Above ground spas or hot tubs shall be skirted, decked, screened, or landscaped to completely screen all plumbing, heaters, pumps, filters, etc. Skimmer nets, long handle brushes, pool chemicals, filters, pumps, heaters, plumbing, and other pool or spa-related items shall likewise be stored or screened such that they are not visible from public view. A wood fence not greater than four feet (4') in height may be used to screen equipment as long as the fence is not visible from the public view.
- 4) Privacy screens (other than live landscaping) for pools or spas shall not exceed a height of eight feet (8') above existing grade.
- 5) Screening material visible to the public must be a masonry wall or wrought iron compatible with the residence, or landscaping plants.

N. Landscaping

All common landscaped areas, including those within publicly owned rights-of-way, and any improvements within such common areas shall be submitted to the City Manager or his/her designee for approval, and shall be installed and maintained by the Property Owners Association. Landscaping within the common areas, and within publicly owned rights-of-way shall comply with the following standards:

- 1) **Spacing and Size**
 - a) For Private Property
 - i) One three inch (3") caliper tree shall be planted and maintained within the front yard of all lots prior to the issuance of a Certificate of Occupancy. One three inch (3") caliper tree shall be planted and maintained within the back yard of all lots prior to the issuance of a Certificate of Occupancy.
 - ii) For corner lots, both street frontages shall be included in the calculation to determine the number of trees required. Such trees may be placed anywhere within the front yard.
 - iii) All required landscaping shall be installed prior to the issuance of a Certificate of Occupancy.
 - b) For Common Areas and Public Right-of-Way
 - i) In accordance with approved landscaping plan attached hereto as Exhibit "C", one three inch (3") caliper tree for each thirty-five (35') feet of

street frontage shall be planted prior to the issuance of a Certificate of Occupancy. All fractions equal to, or greater than 0.5 shall be rounded to the next higher number of trees.

ii) All required landscaping shall be installed prior to the issuance of a Certificate of Occupancy.

2) **Species**

Required trees shall be of a species selected from the City of Farmers Branch recommended plant list (i.e., plant material well-suited to the local climate).

3) **Bare ground**

All unpaved surfaces shall be planted with turf grass, flowers, ground covers, shrubs, trees, live plants, or dressed with a landscaping material such as mulch.

4) **Irrigation**

All landscaped areas shall be fully irrigated with an underground automatic irrigation system. Sprinkler heads shall be located to effectively water areas intended with minimum overthrow onto pavement, walks, etc., and to effect 100% coverage ensuring effective and even coverage.

O. Fences

The perimeter screening wall adjacent to Valley View Lane and Marsh Lane shall be constructed of brick and the perimeter wall adjacent to the existing alleys shall be constructed of precast stone in accordance with the site plan attached as Exhibit C and as amended by Exhibit D. Fences along the side yard of individual residences shall be constructed of precast stone. All screening walls and fences shall comply with the following:

1) **Setbacks**

- a) Fences for individual residences shall maintain a minimum setback of five feet (5') from the front elevation of the residence unless required to screen mechanical equipment.
- b) A fence required to screen mechanical equipment shall be set back from the front elevation of the residence the greatest distance possible without interfering with the operation or maintenance of such mechanical equipment.
- c) No fence, or screening wall shall be so located or placed that it obstructs the vision of a motor vehicle driver approaching any street or drive intersection.
- d) When an alley intersects with a street, no fence or screening wall taller than 30 inches may be placed within a sight visibility triangle defined by measuring ten feet to a point along the property lines and joining said points to form the hypotenuse of the triangle.

2) **Height**

- a) A maximum fence height of eight feet (8') is allowed.

3) **Materials**

- a) Fences shall be constructed of wrought iron or masonry or stucco. All fences shall be equally finished on both sides.
- b) Any fence other than that specified herein or on Exhibit C and as amended by Exhibit D is prohibited.

P. Lot Drainage

- 1) All lots shall have positive drainage away from the house foundation.
- 2) All lots shall drain to the drainage system (i.e., street or easement) provided for that lot rather than onto adjacent properties.
- 3) If construction on a lot causes a preexisting drainage pattern to be blocked, or causes other drainage problems on any adjoining lot, the Builder or property owner initiating the construction shall correct the problem.

III. ARCHITECTURAL STANDARDS

A limited array of general, architecturally related regulations has been established to help ensure some exterior elevation compatibility and thematic consistency that will contribute to and reinforce a unique neighborhood identity. Particular attention should be given to those sides of the house that are visible from streets and walkways. The most articulated elevations should be those which are in the public view. However, all sides of a house should be designed, constructed and finished to ensure that there will be a continuity of colors, materials and details on all elevations.

The architectural standards are not intended to restrict creativity. The architectural standards are intended to encourage the construction of courtyard style homes.

The City Manager or his/her designee on an individual basis may approve alternatives to these standards that achieve the courtyard style homes concept. The applicant shall demonstrate that the proposed modification will allow for equal or better results and represents the minimum modification necessary. If the City Manager or his/her designee finds the alternate design unacceptable, the applicant can appeal the decision by filing a site plan application for a recommendation from the Planning and Zoning Commission and a final determination from the City Council. The Planning and Zoning Commission and City Council shall carefully weigh the specific reasons for each deviation, and strive for developing solutions that best promote the spirit, intent and purpose of this Ordinance.

Q. Design Guidelines



Hand Forged Wrought Iron Door

- 1) To achieve a courtyard style of architecture, residences shall incorporate two or more of the following elements:
 - a) Crown molding (frieze treatment along the joint of the soffit and the exterior vertical wall);
 - b) Projected trim around windows;
 - c) Quoined corners;
 - d) Keystone above windows or doors;
 - e) Banding or wainscot projections on the front elevations.
- 2) Main entryways to the residences shall be designed with one or more of the following elements:
 - a) Hand forged wrought iron decoration
 - b) Eyebrow, half-circle or elliptical arch in the transom;
 - c) Heavy solid core wood with architectural accents.
- 3) To achieve a courtyard-style residence, homes shall be designed to incorporate one or more of the following features:
 - a) Entry into the residence through a courtyard
 - b) A "C-shaped" floor plan designed around an exterior courtyard
 - c) A strong orientation between the interior living spaces and an exterior courtyard
 - d) Covered breezeway.
- 4) The Courtyard areas shall include elements such as pools, spas, fountains, statuary, or heavily landscaped garden areas.
- 5) All entrances to a residence shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, and others, where appropriate.

R. Building and Roof Form

- 1) All houses shall include some variation of the ridgeline.
- 2) Hips and gables shall not be combined in the same house unless they are an outgrowth of the plan form.
- 3) Flat roofs are prohibited.
- 4) The minimum slope for all roofs shall be no less than a 5 to 12 (vertical to horizontal) pitch. A combination of roof pitches on a single house is permitted.

S. Building Materials

- 1) All residences shall be dry-walled with Type X fire rated drywall.
- 2) The number of primary materials on the building's exterior shall be limited to a maximum of two (2), not including roof shingles, doors and window glass. Brick, stucco, or stone finishes are acceptable, and shall occupy a minimum of 75% of all facades.
- 3) Cast stone and cultured stone are prohibited as primary cladding material, however, use as trim or accent materials are permitted.
- 4) Cementitious stucco applied to a minimum thickness of $\frac{3}{4}$ " may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be complementary in color with all other exterior housing materials.
- 5) No material change in exterior cladding shall occur on an outside corner. Masonry veneer applied to a front façade only shall be required to wrap around each corner to the side facades at least four (4) feet.

T. Roofing



- 1) Wood shingles are prohibited. All roofs shall be 30-year warranty and above, to include but not limited to tile, fiber compound, or composition roofing materials.
- 2) Vent stacks and other necessary roof protrusions shall be located away from public view, when possible, on the backside of the roof. All vent stacks and flashing shall be painted to match the color of the shingles.
- 3) Rooftop or window HVAC equipment is prohibited.
- 4) Overhanging eaves shall not project more than two feet beyond the building wall.
- 5) Architectural embellishments that add visual interest to roofs, such as dormers, masonry chimneys, or other similar elements are encouraged.

U. Windows



- 1) Fenestration shall be architecturally compatible with the style, materials, colors, and details of the house. Windows shall be vertically proportioned wherever possible.

V. Garage Doors

- 1) Single doors divided by a column shall be required for all front facing garages.

W. Lighting



- 1) Lighting may be installed and maintained on individual lots provided that such lighting does not cause a nuisance to others. Exterior illumination of architectural features such as columns, entries, chimneys, and landscape features is encouraged.
- 2) Sodium vapor lights are prohibited.
- 3) Mercury vapor security lights are also prohibited when the fixture is visible from public view or other lots. Mercury vapor lights, when used for special landscape lighting affect, (e.g., suspended in trees as up and down lights) are permitted.
- 4) Colored lenses on low voltage lights, colored light bulbs (except for holiday lighting and insect control purposes), fluorescent and neon lighting are prohibited when visible from public view.
- 5) Incandescent, low voltage incandescent, metal halide, quartz and natural gas lights are permitted.

X. Screening-Mechanical Equipment

- 1) All meters, air conditioning units, and other mechanical equipment shall be screened from public view.
- 2) Evergreen hedges may be used for screens if plants are mature enough and spaced close enough to provide adequate screening. Screening with plant material shall be accomplished with initial installation, not assumed growth at maturity.

Y. Rain Gutter Drains

- 1) Where gutters are used, positive drainage away from the building shall be provided. Down spouts are to be located to ensure compatibility with the other architectural elements of the residence and shall be terminated by splash blocks. Roof drainage that will ultimately create erosion is prohibited.
- 2) Drainpipes tied into rain gutter down spouts shall be completely hidden from public view. Shrubs or ground cover large enough and dense enough to effectively screen these features are acceptable.
- 3) Gutters and downspouts shall be integrated with architectural design in color, shape, and location.

Z. Entrance Feature & Signs

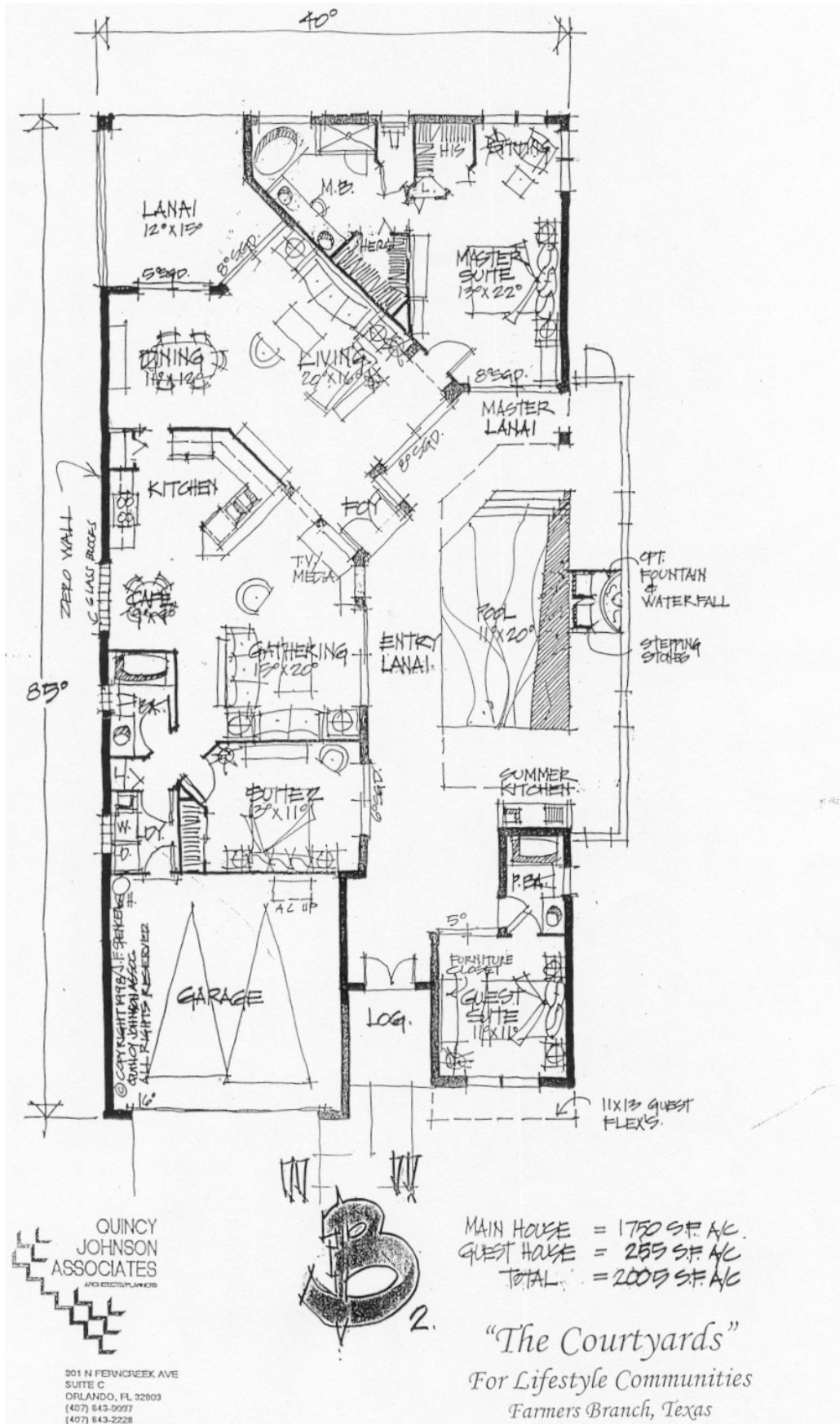
- 1) The entry wall shall be constructed of the same wall material as the perimeter wall along Valley View Lane and Marsh Lane.
- 2) The entry sign text will be contained on two (2) lines to read: "The Courtyards". The size of the two signs shall not exceed 10 square feet, each. The font shall be of block-style lettering. The lettering shall be either recessed and painted, or individual metal letters attached to the wall.
- 3) A decorative wrought iron gate not more than 10 feet tall shall be installed at the main entrance.
- 4) The material and design of the emergency gate along Marsh Lane shall be similar to the main entrance gate.

IV. TYPICAL FLOOR PLANS

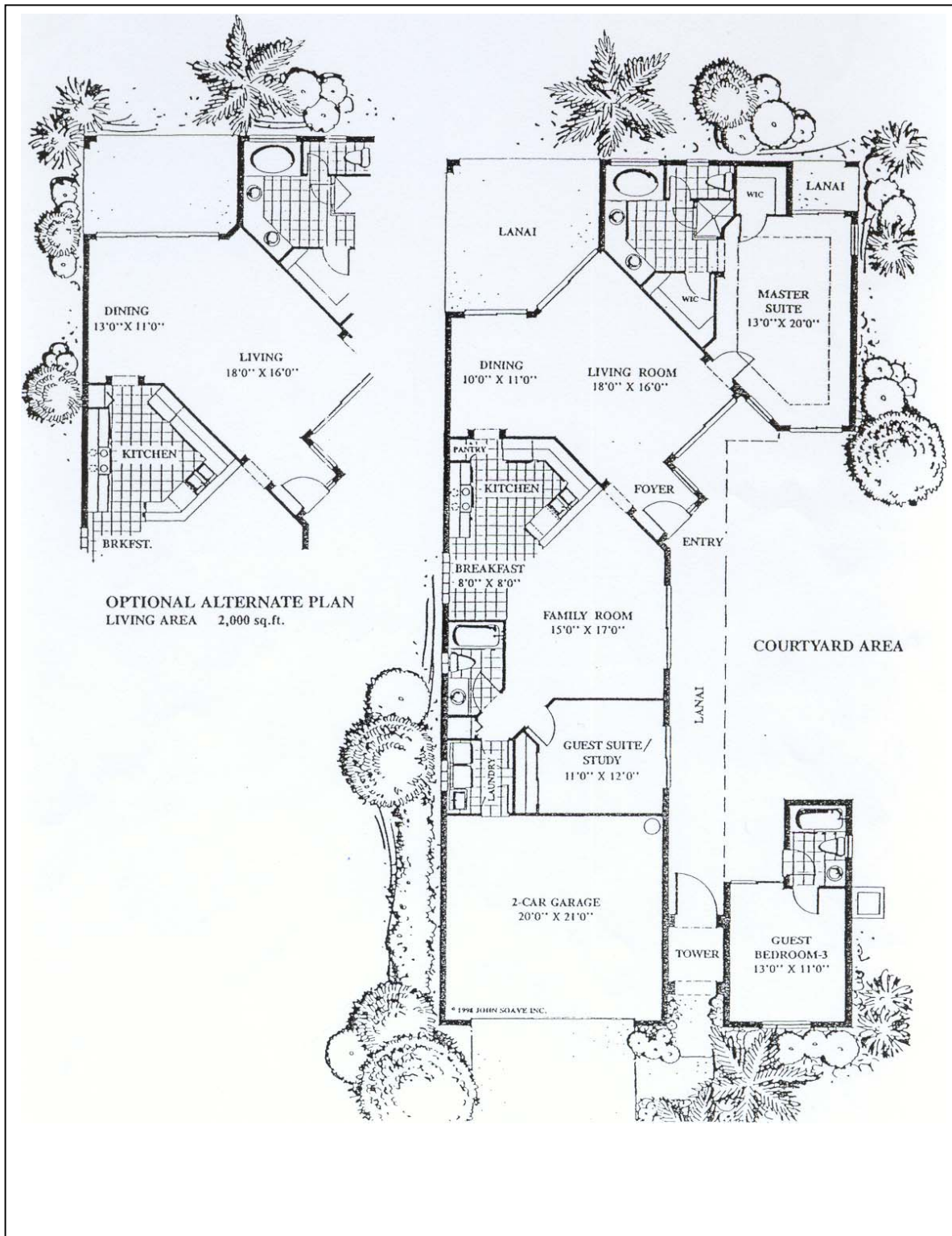
Typical Floor Plans for Courtyard Style Homes



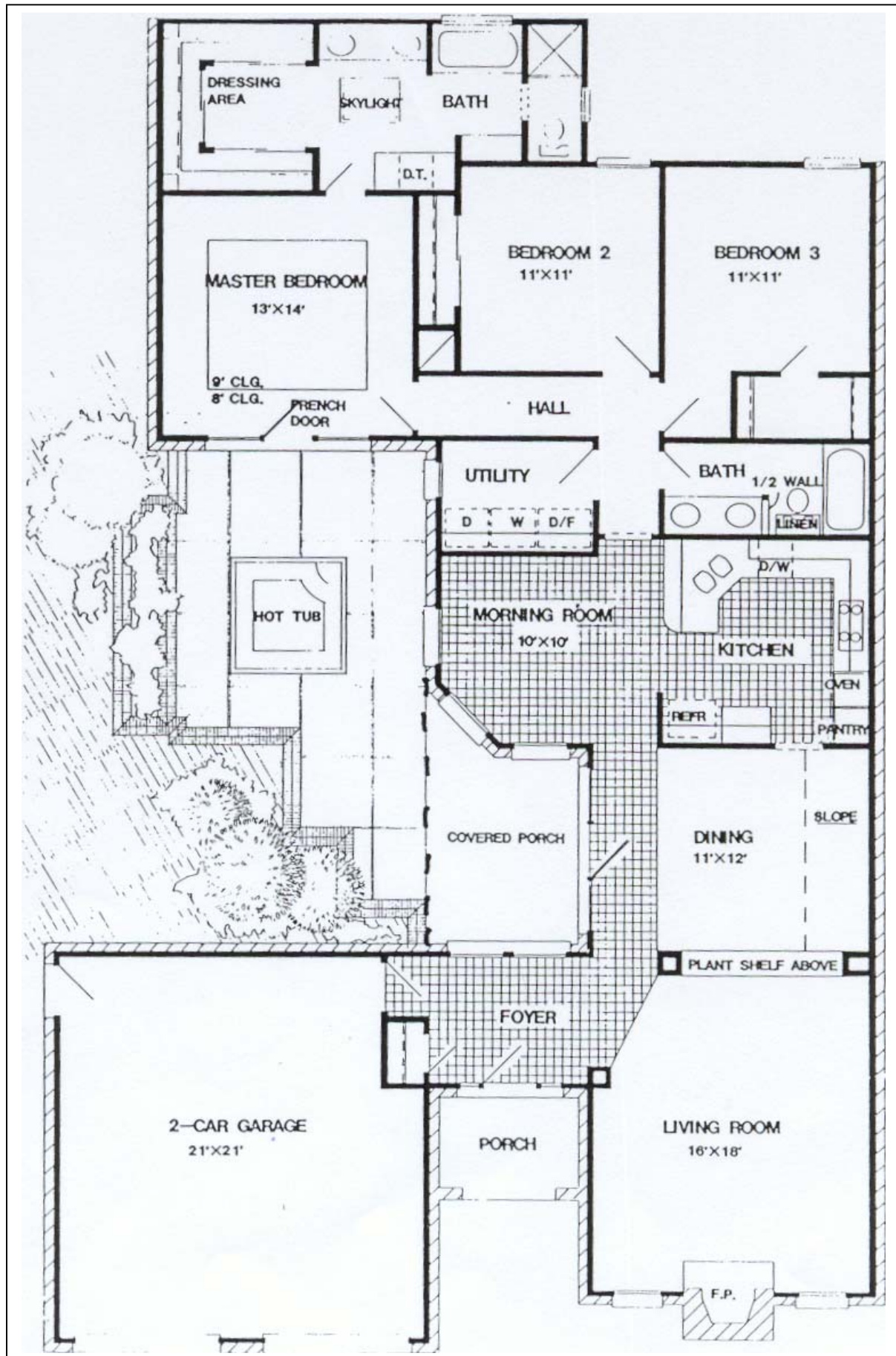
Typical Floor Plans for Courtyard Styles Homes

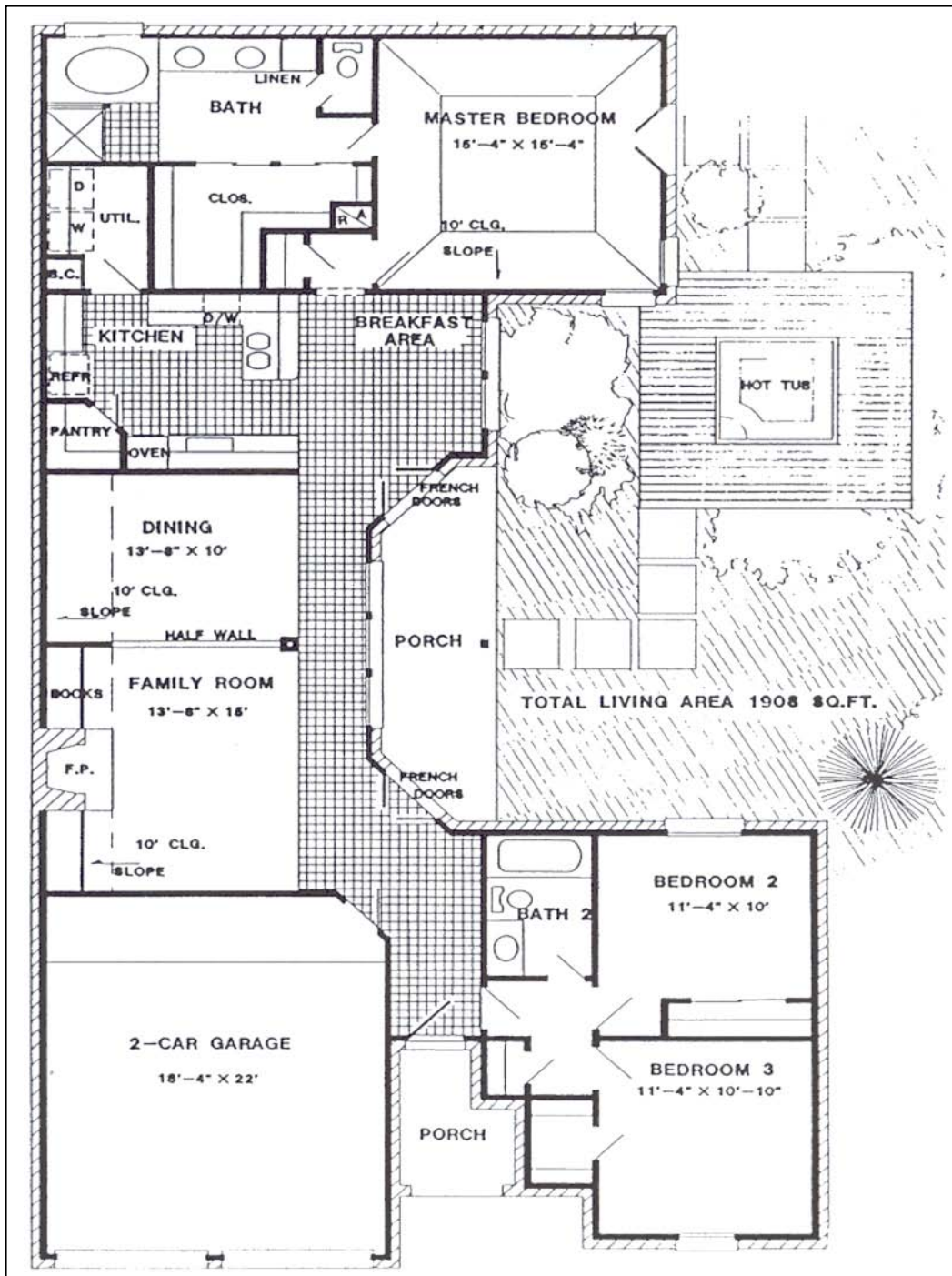


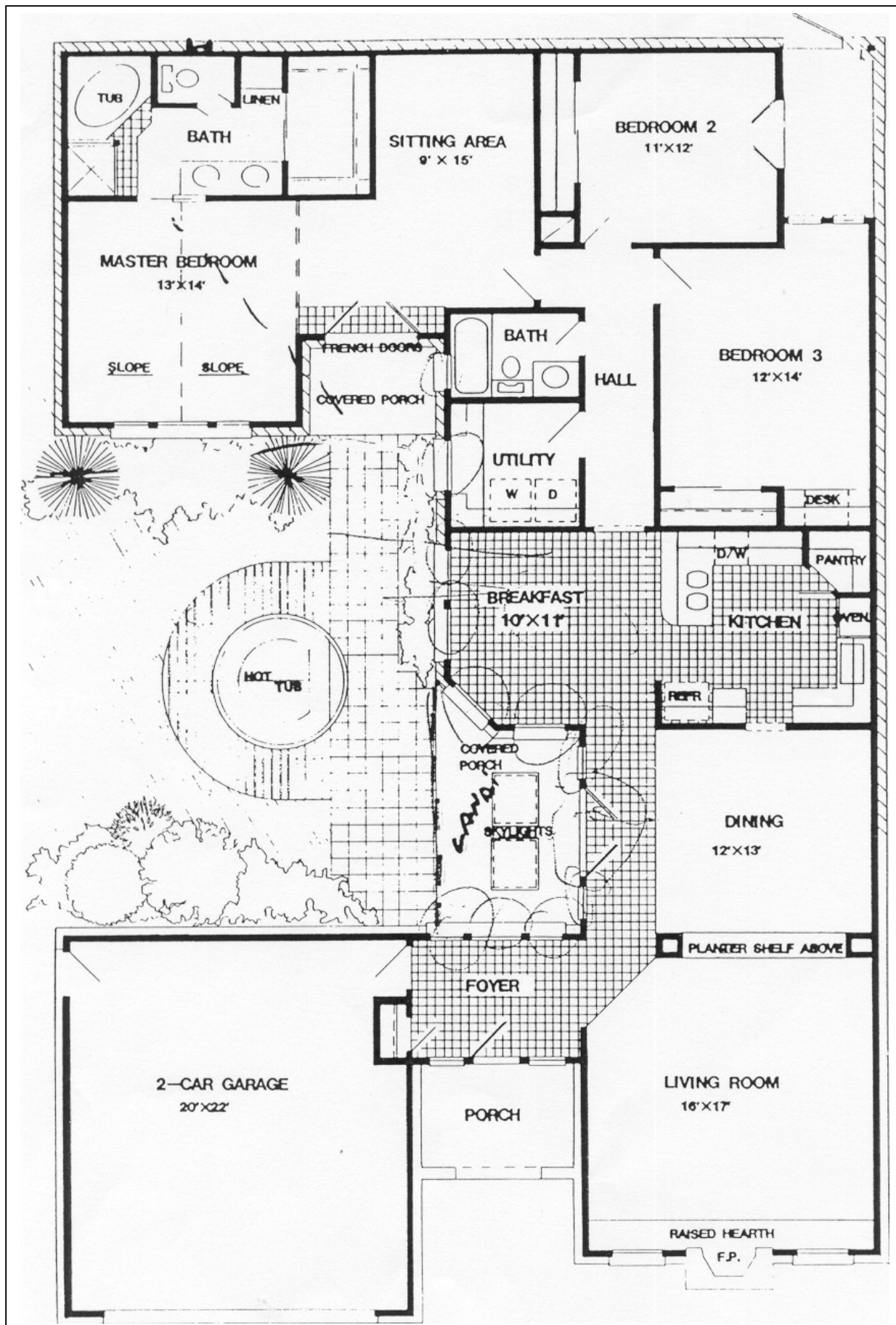
Typical Floor Plans for Courtyard Style Homes

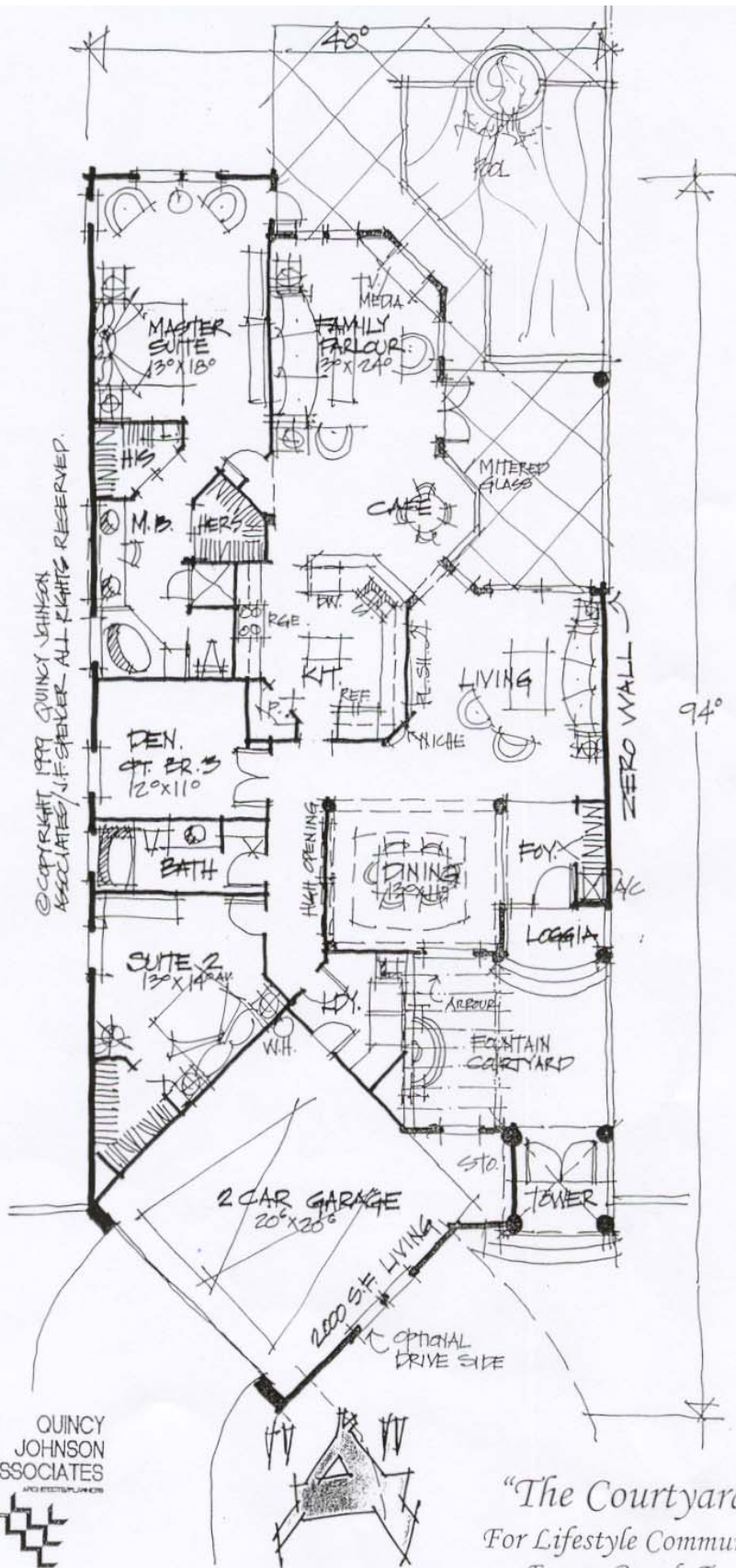


Typical Floor Plans for Courtyard Style Homes







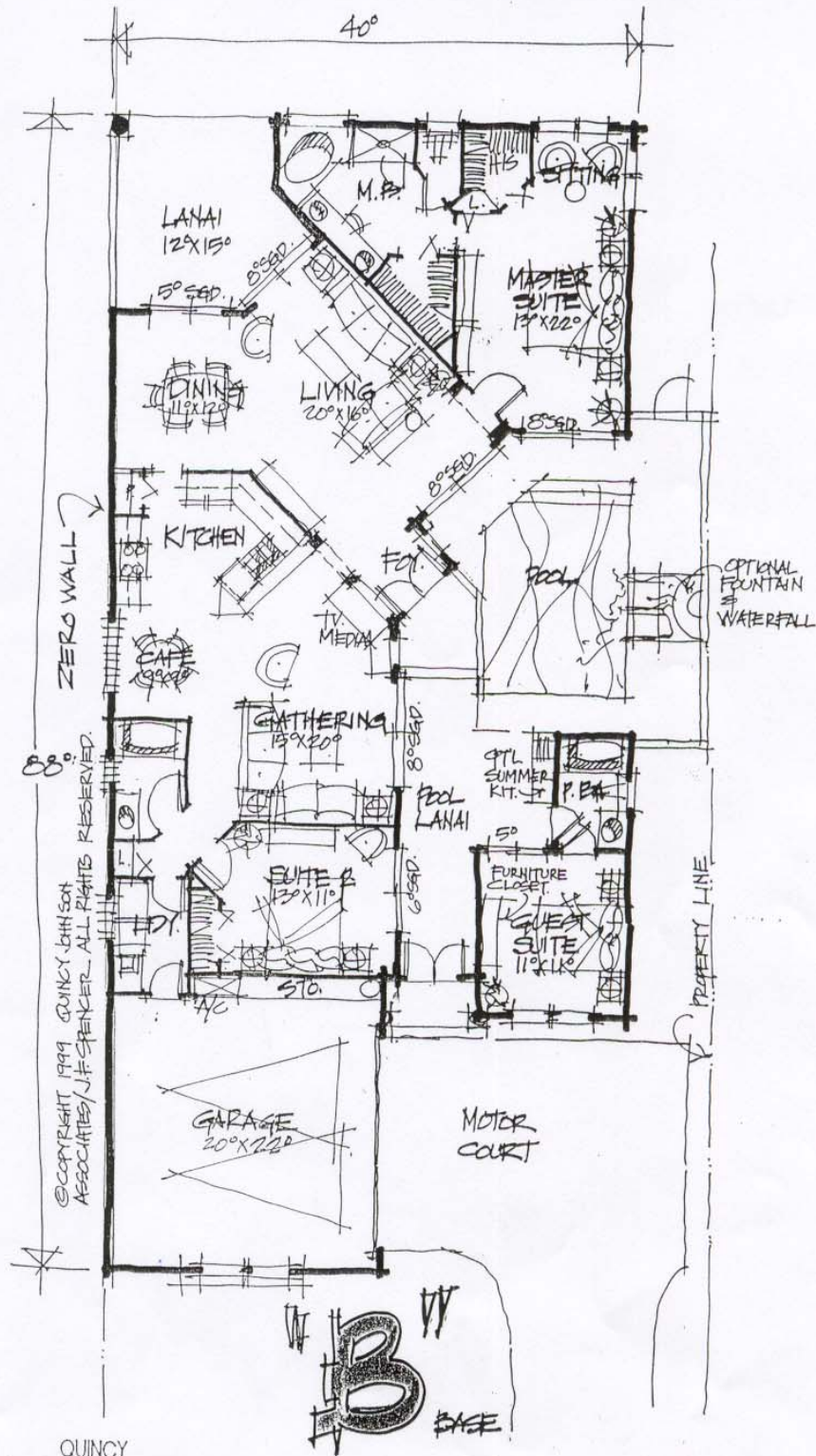


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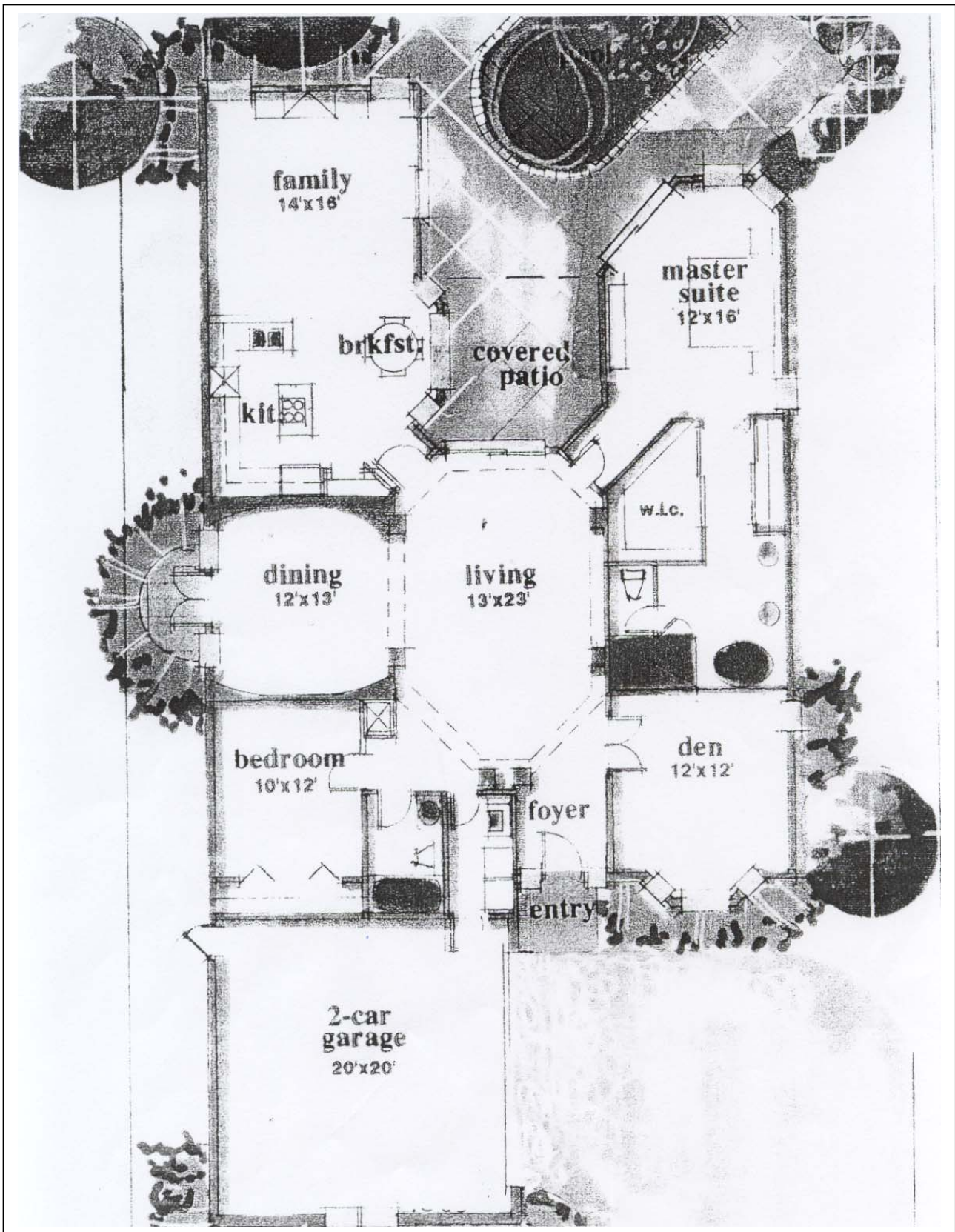
301 N FERNACREEK AVE
SUITE C
ORLANDO, FL 32803
(407) 843-9997
(407) 843-2228

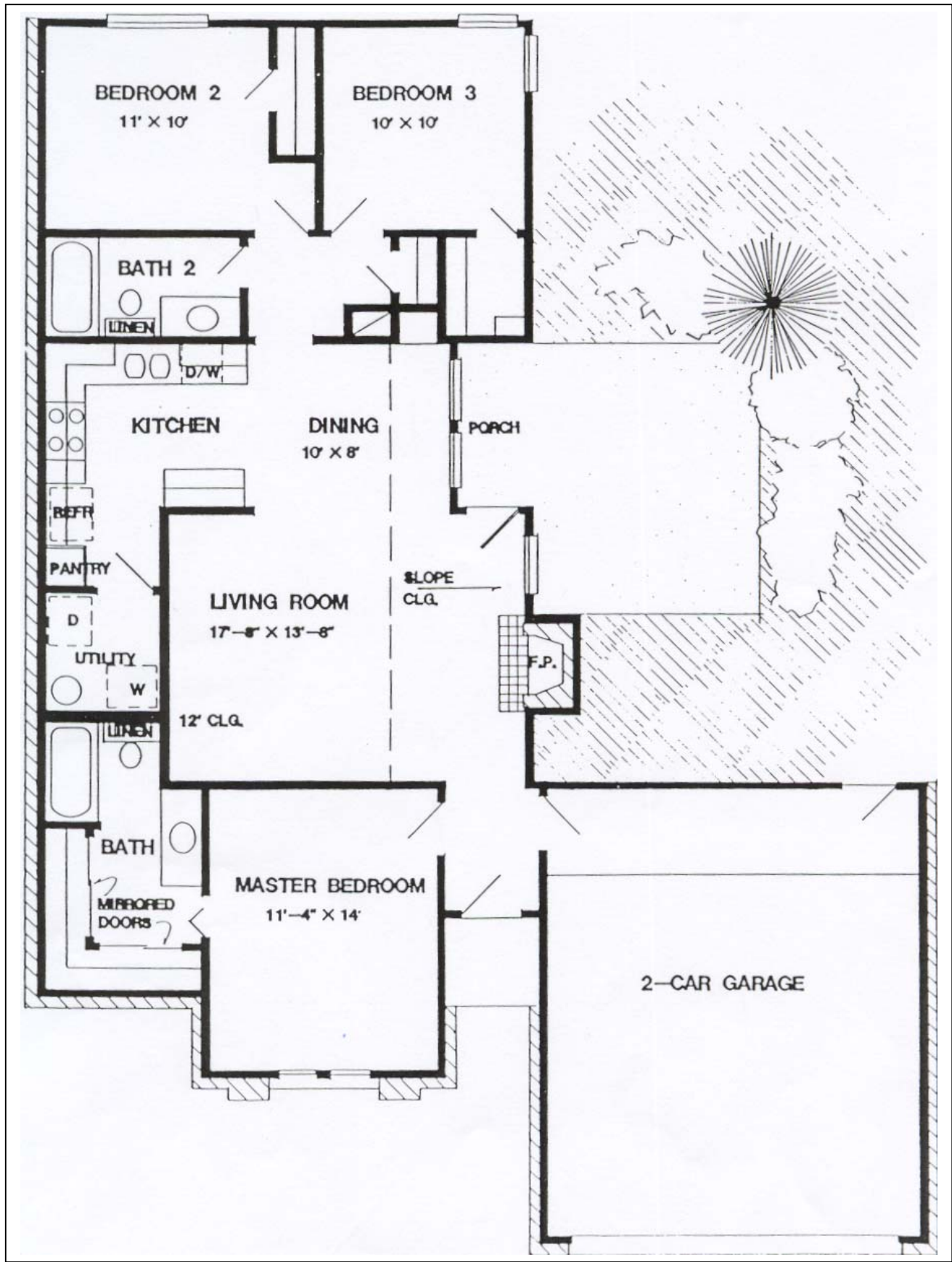
"The Courtyards"
For Lifestyle Communities
Farmers Branch, Texas



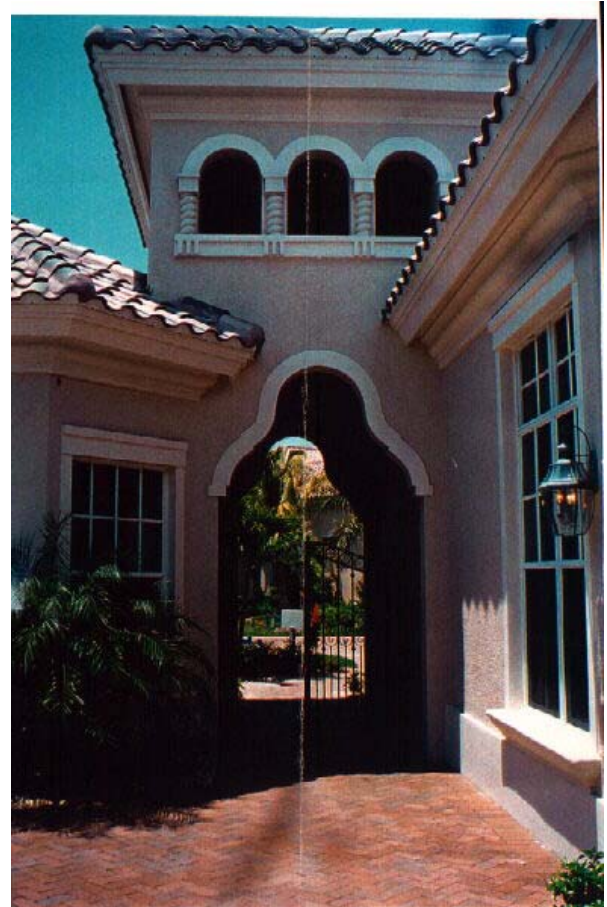
QUINCY
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 ARCHITECTS
 301 N FERNCREEK AVE
 SUITE C
 ORLANDO, FL 32809
 (407) 843-9997
 (407) 843-2228

"The Courtyards"
 For Lifestyle Communities
 Farmers Branch, Texas





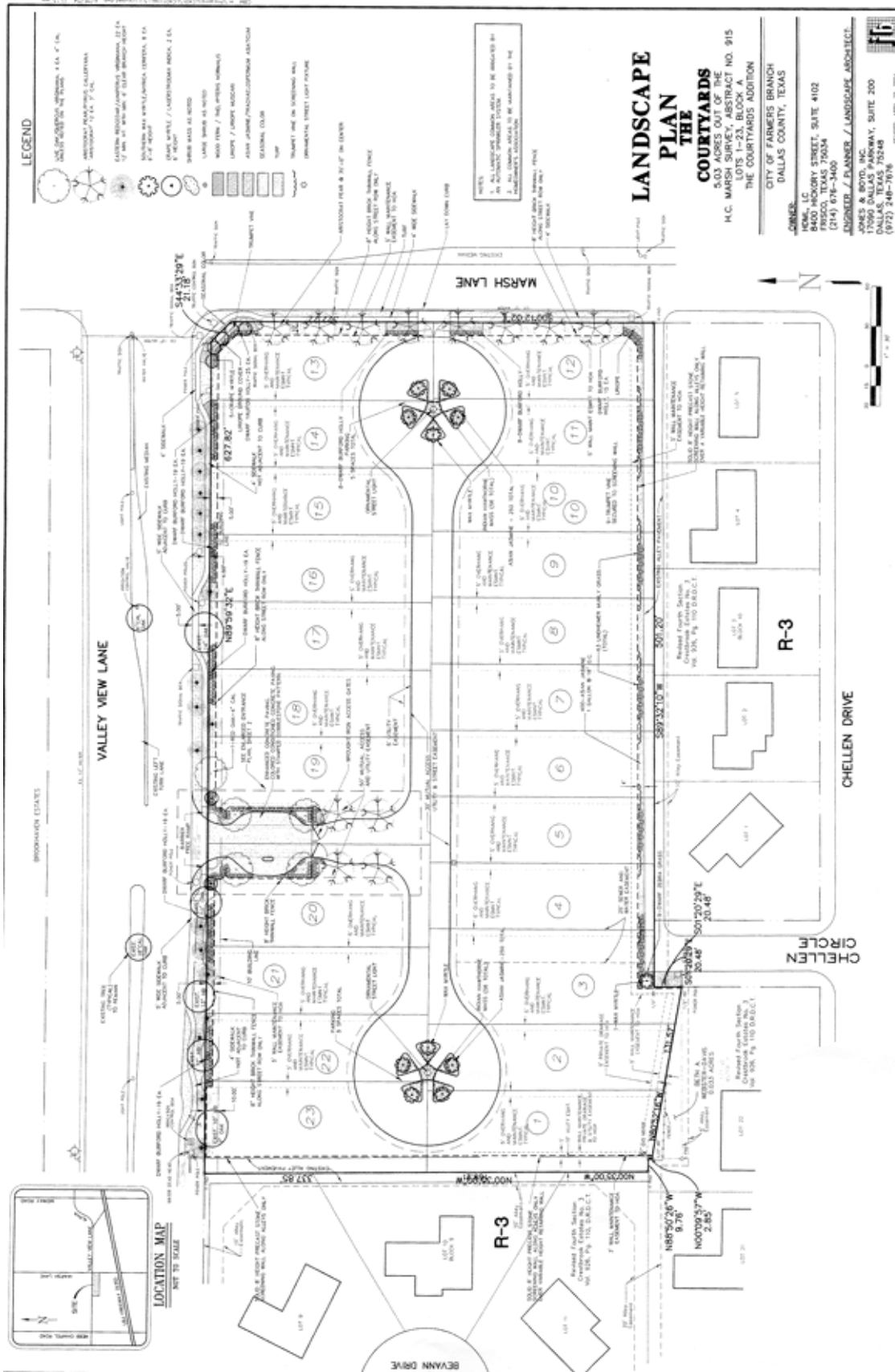
V. TYPICAL HOME PHOTOGRAPHS



VINEYARD WAY



VII. LANDSCAPE PLAN (EXHIBIT “C” CONTINUED)



57c

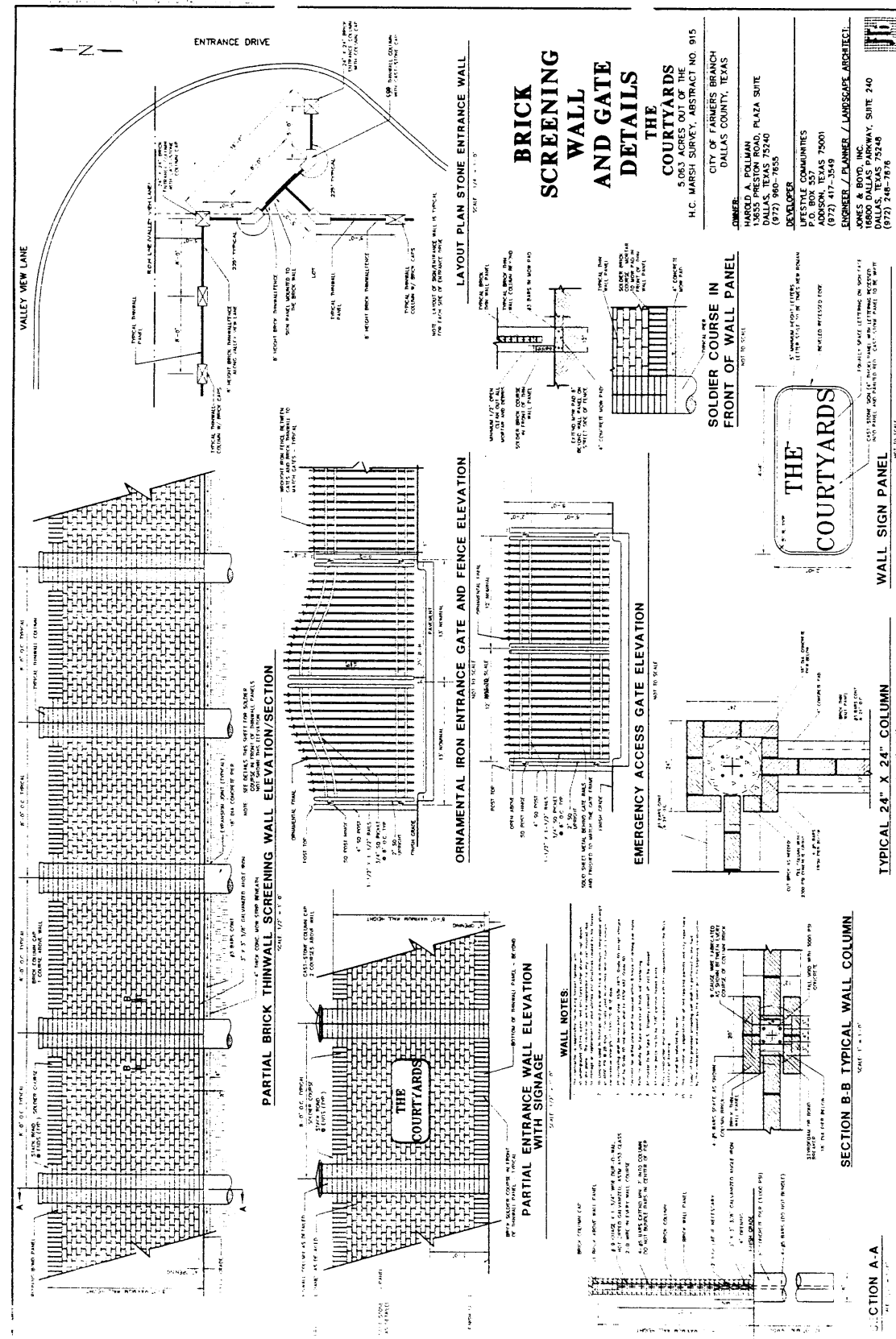


EXHIBIT D –SITE PLAN AMENDMENT EXHIBIT (PERTAINING TO LOTS 1-3 ONLY)

